

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 99-4637**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

THOMAS ANTHONY BURRESS,

Defendant - Appellant.

---

**No. 99-4638**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

THOMAS ANTHONY BURRESS,

Defendant - Appellant.

---

Appeals from the United States District Court for the Western  
District of Virginia, at Charlottesville. James H. Michael, Jr.,  
Senior District Judge. (CR-92-16-3, CR-97-3-1)

---

Submitted: April 20, 2000

Decided: September 18, 2000

---

Before NIEMEYER, MICHAEL, and TRAXLER, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Edward H. Childress, Charlottesville, Virginia; T. E. McGarrity, Pro Bono Criminal Assistance Project, Charlottesville, Virginia for Appellant. Robert P. Crouch, Jr., United States Attorney, Donald Wolthuis, Assistant United States Attorney, Roanoke, Virginia, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Thomas Anthony Burress appeals his conviction and 210-month sentence following his guilty plea to possession with intent to distribute crack cocaine and his 48-month sentence for violation of supervised release. We affirm.

We have reviewed the record and find the court did not abuse its discretion in denying Burress' motion to withdraw his guilty plea. See United States v. Lambey, 974 F.2d 1389, 1394 (4th Cir. 1992); United States v. Moore, 931 F.2d 245, 248 (4th Cir. 1991). We find the Government did not breach the plea agreement by failing to move for a reduction in Burress' sentence based upon acceptance of responsibility. See U.S. Sentencing Guidelines Manual § 3E1.1 (1995). Finally, we find no reversible error in the court's ruling and sentence as to revocation of Burress' supervised release. See United States v. Copley, 978 F.2d 829 (4th Cir. 1992). Therefore, we affirm the court's judgments and sentences. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED